

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JENNIFER KITTRELL )  
 )  
v. ) No. 3:13-0557  
 )  
NANCY A. BERRYHILL<sup>1</sup> )  
Acting Commissioner of Social Security )

**ORDER AND FINAL JUDGMENT**

This case is before the Court on Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration regarding her application for Disability Insurance Benefits and Supplemental Security Income. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Sixth Circuit. The Court, having reviewed the record, the administrative transcript, the briefs of the parties, and the applicable law, finds as follows:

For the reasons contained in the accompanying memorandum opinion, the Court finds that the decision of the Commissioner of Social Security is not supported by substantial evidence. The decision is therefore REVERSED and REMANDED for further proceedings to include a rehearing before a new ALJ pursuant to sentence four of 42 U.S.C. § 405(g).

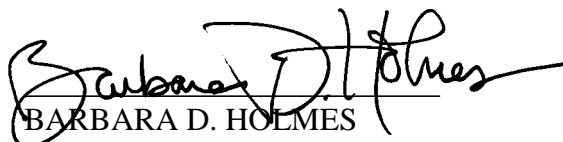
This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58, and the Clerk is directed to close this case upon entry of this Order. Additionally, because Plaintiff's first motion for judgment on the record (Docket No. 17), filed on November 19, 2013,

---

<sup>1</sup> Nancy A. Berryhill became the Acting Commissioner of Social Security on January 23, 2017. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill is substituted for former Acting Commissioner Carolyn W. Colvin as the defendant in this suit.

was rendered moot by Plaintiff's filing of an amended complaint and subsequent motion for judgment on the record, the Clerk is also directed to terminate Docket No. 17.

It is SO ORDERED.

  
BARBARA D. HOLMES  
United States Magistrate Judge